

# BARNES & THORNBURG LLP

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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Group: 3763

Confirmation No.: 3390

Application No.: 10/045,550

Invention: **Manufacturing Methods For An  
Apparatus For The Controllable  
Modification Of Compound  
Concentration In A Tube**

Applicant: Eldon H. Nyhart, Jr.

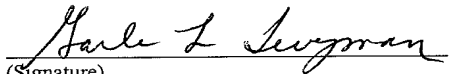
Filed: October 26, 2001

Attorney Docket: 41594-200407

Examiner: Loan H. Thanh

I hereby certify that this correspondence is being  
electronically filed with the United States Patent and  
Trademark Office

on August 24, 2006

  
(Signature)

Garla L. Twyman  
(Printed Name)

### RESPONSE AND AMENDMENT UNDER 37 C.F.R. §§1.111 and 1.121(c)

Mail Stop Amendment  
Commissioner for Patents  
P. O. Box 1450  
Alexandria, Virginia 22313-1450

Sir:

In response to the Office Action mailed on February 27, 2006, Applicant respectfully requests entry of the amendments to the claims transmitted herewith and consideration of the accompanying remarks. No new matter is sought to be introduced by way of these amendments. The extendable due date for response to the instant Office Action, under a three-month shortened statutory period, is May 27, 2006. Applicant hereby respectfully petitions for a three-month extension of time under 37 C.F.R. § 1.136(a) to respond to the instant Office Action, thereby extending the due date for response to August 27, 2006. The \$510.00 fee required under 37 C.F.R. § 1.17(a)(3) for a three-month extension of time under small-entity status has been debited electronically from Barnes & Thornburg

LLP Deposit Account No. 10-0435, with reference to our matter 41594-200407, at the time of filing the instant Response. Applicant does not believe that any additional fees are due with the instant Response; however, if any additional fees are required, the Commissioner is hereby authorized to charge the same, or credit any overpayment of fees, to Barnes & Thornburg LLP, Deposit Account No. 10-0435, with reference to our matter 41594-200407.

In response to the Office Action mailed February 27, 2006, please consider the following:

**Amendments to the Claims** beginning on page 3 of this paper.

**Remarks** beginning on page 9 of this paper.